

FILED

JUN 01 2012

JULIA C. DUNLEY, CLERK
BY:  DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

ASHLEY L. DOVEL,

Plaintiff,

v.

SOCIAL SECURITY DISABILITY,
et al.,

Defendants.

CASE NO. 5:11CV00085

REPORT AND RECOMMENDATION

By: B. Waugh Crigler
U. S. Magistrate Judge

According to Rule 4 of the court's Local Rules, plaintiff's brief addressing why the Commissioner's March 26, 2010 decision is not supported by substantial evidence or why the decision otherwise should be reversed or the case remanded was due on May 4, 2012. Plaintiff did not file a brief.

On May 11, 2012, the undersigned entered an Order directing plaintiff to show cause for her failure to prosecute on or before May 22, 2012. On May 21, 2012, plaintiff filed a motion for extension of time. The undersigned granted the motion and gave plaintiff until May 29, 2012 to file her response. Plaintiff has not filed a response.

For these reasons, the undersigned finds that plaintiff has failed to comply with Rule 4 of the court's Local Rules regarding the briefing of Social Security cases, thereby failing to prosecute her claims. Thus, it is

RECOMMENDED

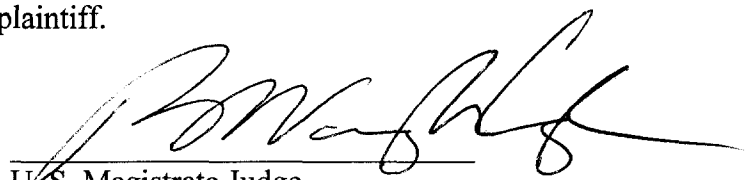
that an Order enter AFFIRMING the Commissioner's final decision, GRANTING judgment to the Commissioner, and DISMISSING this action from the docket of the court.

The Clerk is directed to immediately transmit the record in this case to the presiding District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within fourteen (14) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not

specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection.

The Clerk is directed to transmit a certified copy of this Report and Recommendation to all counsel of record and mail a copy to the plaintiff.

ENTERED:


U. S. Magistrate Judge

Date

6-1-2012